IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.55 OF 2006

In

WRIT PETITION NO.3073 OF 2002

Vintage Co-op. Hsg. Society Ltd. : Petitioner

V/s.

Municipal Corporation of Gr. Bombay

& Ors. : Respondents

...

Ms Sumedha Rao for the petitioner.

Ms Preeti Purandare for respondent Nos.1 to 3.

...

CORAM : H.L.GOKHALE & S.R.DONGAONKAR,JJ.

DATE : MARCH 10, 2006.

P.C.

1. Heard Ms Rao in support of this Motion.

2. The Motion seeks restoration of water supply to the petitioner's building. We granted ad-interim order on 3.2.2006 in view of the statement that water supply was otherwise available and was legally being supplied to the concerned building.

3. Reply has been filed by the Municipal Corporation

pointing out that there are two independent buildings in the premises concerned and the second building of wings ‘C’ and ‘D’ is not constructed with authorisation and it is occupied without there being any approval from the Municipal Corporation. No water supply was being supplied to wings ‘C’ and ‘D’. Water was being supplied to ‘A’ and ‘B’ wings. Rejoinder has been filed wherein these facts are not controverted. This being the position, though the ad-interim order passed by us will continue, it will continue only with respect to building No.1 and wings ‘A’ and ‘B’ and not for wings ‘C’ and ‘D’.

4. Notice of Motion stands disposed of.

H.L. GOKHALE, J.

S.R.DONGAONKAR, J.